



## **MARICOPA COUNTY JUSTICE COURT**

**If you want to file a...**

# **CIVIL COUNTERCLAIM**

© Justice Court in Maricopa County  
June 23, 2005  
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FORM (#)






## MARICOPA COUNTY JUSTICE COURT


A counterclaim is a claim made by the defendant against the plaintiff. A counterclaim should be filed at the same time the defendant's answer is filed (Refer to the Civil Answer packet). If you have already filed an answer, you must file a motion requesting permission to file a counterclaim.

If the amount of your counterclaim **EXCEEDS \$9,999.99** the civil case will immediately be **TRANSFERRED TO THE SUPERIOR COURT** and appropriate filing fees will be assessed by the Superior Court before processing can commence.

### Please STOP...

	If you have not been served with a civil summons and complaint.
	If there has already been a judgment rendered.
	If you have not filed an answer to the civil complaint.

### Please PROCEED...

	If you are within the prescribed time limit of filing counterclaim and are filing or have filed an answer.
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### FORMS Needed:

<input checked="" type="checkbox"/>	Civil Counterclaim
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### **INSTRUCTIONS:**

- 1) Complete the form(s)
- 2) Make copies of the answer form and counterclaim form. The court will require an original of each and you may wish to have copies; additionally each named plaintiff will need a copy.
- 3) File papers with the court clerk
- 4) Pay the answer fee, there is no fee for the counterclaim.
- 5) Mail the copies to the plaintiff(s).

IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

Visit us at [www.superiorcourt.maricopa.gov/justicecourts](http://www.superiorcourt.maricopa.gov/justicecourts) for additional filing information and online forms.



# Maricopa County Justice Courts, Arizona

\_\_\_\_ JUSTICE COURT

CASE NUMBER: \_\_\_\_\_

Plaintiff(s)  
Name / Address

Defendant(s)  
Name / Address

ATTORNEY for Plaintiff  
Name / Address

ATTORNEY for Defendant  
Name / Address

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## COUNTERCLAIM

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Defendant, having filed an answer to plaintiff's complaint, now counterclaims against the following named plaintiff(s) \_\_\_\_\_, as follows:

This is what Counter-defendant/ Plaintiff has done to cause the damages I am claiming: (state wrongful acts)

- 1.
- 2.
- 3.

I am asking the court to award me judgment against the Counter-defendant/ Plaintiff(s) in the sum of \$ \_\_\_\_\_.  
(state claimed damages)

I am also asking for reimbursement of my court costs and interest at the legal rate from the date of judgment.

I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_  
Counterclaimant/ Defendant

I CERTIFY that I have mailed / will mail a copy of this COUNTERCLAIM on this same day to:

☐ Plaintiff at the above address or ☐ Plaintiff's attorney

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Counterclaimant/ Defendant

*TO COUNTER-DEFENDANT/ Plaintiff(s): You have twenty (20) days to respond this counterclaim by filing a written reply. If you fail to do so, a default judgment may be entered against you for the relief sought by the party filing the counterclaim.*